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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Approximately 69,370 Bitcoin (BTC), Bitcoin  
Gold (BTG), Bitcoin SV (BSV), and Bitcoin  
Cash (BCH) seized from  
1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx

Defendant.

CASE NO. CV 20-7811 RS

**UNITED STATES' OPPOSITION TO BATTLE  
BORN'S EX PARTE APPLICATION TO  
CONTINUE THE HEARING ON ITS MOTION  
TO STAY ENFORCEMENT OF THE  
JUDGMENT**

1 The United States of America hereby opposes the Ex Parte Application to Continue the Hearing  
 2 for the reasons stated in its opposition to the Motion to Stay Enforcement of the Judgment. Dkt. No.  
 3 156.<sup>1</sup>

4 Ironically, Battle Born filed this application to continue the hearing after the Court issued an  
 5 Order proposing a compromise solution that would vacate the hearing while preserving the defendant  
 6 property. Dkt. No. 157 2:4-12. The United States attempted to meet and confer regarding this Order  
 7 three times, but Battle Born refused to meet and confer. Dkt. 168-1. The United States followed up  
 8 with an email that memorialized the final refusal and indicated an amenability to the Court's proposed  
 9 solution (or the filing of a Rule 62 bond), but Battle Born continues to refuse to meet and confer. *Ibid.*

10 Battle Born now demands its preferred solution to this problem of its own making, and it is  
 11 unwilling to discuss or suggest solutions that protect the government's interests. Battle Born filed the  
 12 Rule 62 motion and set the hearing date. Shortly after the government filed its opposition, Battle Born  
 13 replaced its own counsel and is now demanding a delay. Battle Born has rejected proposals by the  
 14 Court and the United States that would mitigate the risk to the defendant property, and it has not  
 15 offered alternative solutions to mitigate that risk. Battle Born should not be allowed to manufacture a  
 16 delay and at the same time prevent the government from mitigating the risk to the value of the  
 17 defendant property.

18 For these reasons, Battle Born's application should be denied.

19 DATED: 12/6/2024

Respectfully submitted,

20 ISMAIL J. RAMSEY  
 21 United States Attorney

22 /s/ David Countryman  
 23 DAVID COUNTRYMAN  
 Assistant United States Attorney

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 25 <sup>1</sup> While the United States believes that this application, as well as the previous motion, should be  
 26 denied for the reasons discussed in its previous opposition—in short: Battle Born lost (here and on  
 27 appeal) and the case has been completely and finally adjudicated on its merits—the United States  
 understands and appreciates the Court's compromise solution, albeit with concerns about the potential  
 for a delay in filing the Rule 60 motion.